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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Summary of the panel discussion on youth and human rights

Report of the United Nations High Commissioner for Human Rights

Summary

The present report was prepared in accordance with resolution 32/1 of the Human Rights Council, in which the Council decided to convene a panel discussion on youth and human rights, and requested the United Nations High Commissioner for Human Rights to prepare a report thereon. The panel discussion, organized by the Office of the United Nations High Commissioner for Human Rights, was held on 22 September 2016, at the thirty-third session of the Council.

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I. Introduction

1. In its resolution 32/1, the Human Rights Council decided to convene at its thirty-third session a panel discussion on youth and human rights. It requested the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations agencies, funds and programmes, the treaty bodies, the special procedures of the Human Rights Council, national human rights institutions and civil society, including representatives of youth organizations, with a view to ensuring their participation in the panel discussion.

2. The interactive panel discussion was chaired by the President of the Human Rights Council and moderated by the Permanent Representative of Greece to the United Nations Office and other international organizations in Geneva. The United Nations Deputy High Commissioner for Human Rights delivered an opening statement, after which a video statement by the Envoy of the Secretary-General on Youth was screened. The panellists were a member of the Committee on Economic, Social and Cultural Rights, the President of the European Youth Forum, a representative of the Asociación Tierra de Jóvenes, El Salvador, a representative of the International Volunteerism Organization for Women, Education and Development (VIDES International) and the Head of the Social and Human Sciences Sector, Multisectoral Regional Office for Central Africa, Yaoundé, of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

3. Following the panellists' brief opening remarks, the representatives of States, national human rights institutions and non-governmental organizations and other observers were encouraged to intervene by asking questions, making comments and sharing good practices, challenges and recommendations on the way forward. The panel discussion provided a platform for experts and representatives of stakeholders to identify challenges, best practices and lessons learned in the exercise of human rights by young people, and relevant opportunities for the empowerment of young people in the exercise of their rights.

II. Opening remarks

4. In her opening remarks, the Deputy High Commissioner said that the combination of current demographic realities and the pace of global change made young people the generation of our time, and the sustainable development generation. There were currently 1.8 billion young people worldwide, the most the world had ever seen, meaning that there could be no sustainable development without them and no sustained development if not for them. Young people were currently three times more likely to be unemployed, with 73 million of them looking for but not finding employment; when they did find work, they laboured in far more precarious conditions than adults, in the absence of equal pay for equal work. Some 27 million young people were migrants: far from their homes, travelling sometimes unaccompanied, often precariously, in flight from a life they believed they could not sustain and in search for a life of security and improved standards of living.

5. Young people under the age of 30 constituted 43 per cent of all homicide victims. Sexual violence disproportionately affected young girls and women, and complications in pregnancy and childbirth were the second biggest killers of adolescent girls in developing countries, despite being largely preventable. Every year at least 3 million girls aged 15 to 19 underwent unsafe abortions. Globally, adolescents were the only age group for whom deaths due to AIDS had increased, by about 50 per cent between 2000 and 2015, in contrast with a 32 per cent decrease among other age groups in the same period. Globally, relative poverty and lack of opportunity was a disproportionate and particular challenge for young people. In Niger, the average age was 15, in South Sudan, 17 and in Nigeria and Yemen, 18. The demography of relative privilege was much older and ageing; the average age in Denmark was 41, in Austria, 44 and in Germany and Japan, 46. There was a need for more inclusive engagement with the largest generation of potential, in terms of energy, creativity, passion and talent to which the world had ever had access, and yet, around the world, only 1.65 per cent of parliamentarians were in their 20s, and the average age of parliamentarians

globally was 53. Young people currently, despite being the most interconnected, most educated and healthiest generation, was also the generation at the gravest risk of being left far behind. As the economic and social histories of countries that experienced a rapid development curve after the Second World War proved, investing in young people and reaping the demographic dividend of young populations was of benefit to all.

6. The current needs of the world's adolescents and young people were significant, including for schooling and higher education, life skills and vocational training, meaningful employment, safe homes, protection from violence and exploitation and for personal autonomy and decision-making about their bodies. Yet underpinning those needs and central to the assignment of responsibility for meeting those needs were their rights. Violations of their rights were the gravest threats to young peoples' and adolescents' well-being; the denial of their rights exacerbated vulnerability and entrenched inequality, and the violation and denial of certain rights, including sexual and reproductive rights, also derailed the realization of multiple other rights, such as the rights to education, employment and political participation. The priorities for action were clear. There was a need to: (a) ensure robust civic registration, including of births, marriages and causes of death, as those were the building blocks of legal personhood; (b) remove laws and tackle cultural norms that impeded young people's personal progress; (c) end child marriage in law and in practice; (d) give boys and girls unfettered access to comprehensive sexuality education; (e) keep adolescents in school or keep them in education; and (f) build opportunities for them to keep learning and to bridge them back into learning. Adult behaviour and double standards in many cases impeded the dignity of young people, and a child's safe passage from birth to adulthood was not the child's responsibility, it was that of adults. Sharing political, economic and social space, assets and opportunities with young people was a priority, while building stable platforms for ongoing intergenerational dialogue.

7. In his video address, the Envoy of the Secretary-General on Youth noted that the adoption of the Human Rights Council resolution on youth and human rights was an opportunity to bring youth issues to the Council in a systematic and meaningful way. While the current generation of youth was the largest the world had ever known, significant gaps remained in human rights protection for young people, including access to political rights, the right to seek health services and the right to education. Lack of participation and opportunity isolated people, with adverse consequences for communities and societies. There had been many positive developments on the youth agenda globally in recent years. The Security Council had adopted resolution 2250 (2015) recognizing the positive role of young people in peacebuilding and preventing violent extremism. The Addis Ababa Action Agenda of the Third International Conference on Financing for Development recognized that investing in children and youth was critical to achieving inclusive, equitable and sustainable development, and the United Nations Economic and Social Council had been holding a youth forum since 2012. Young people worldwide had been involved in developing the Sustainable Development Goals, which reflected their voices and calls, and youth development was a common feature of the 17 Goals.

8. Additional developments included the World Humanitarian Summit, held in Istanbul, Turkey, in 2016, and the Compact for Young People in Humanitarian Action, which had been launched at the summit. Young people had also been involved in the preparations for and during the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Paris in 2015, and the Third United Nations World Conference on Disaster Risk Reduction, held in Sendai, Japan, in 2015. The global youth movement had made great efforts in the past few years to ensure that youth issues were taken seriously on all fronts and that youth issues featured prominently in all of those processes. There were two more opportunities in 2016: the present panel discussion on youth and human rights, and the Forum on Human Rights, Democracy and the Rule of Law, to be convened for the first time by the Human Rights Council in November 2016. Together, the international community could widen the democratic space by strengthening youth participation and promoting young people's rights. It was high time to define procedures and instruments that would ensure the systematic inclusion and review of the question of their rights in the work of the Council.

III. Overview of the presentations by the panellists

9. The moderator said that the aim of the panel discussion was to identify challenges and best practices in the exercise of human rights for young people. Currently, youth made up the largest young generation the world had ever known. The many challenges faced by young people required efforts on the part of the international community and all stakeholders. Young people should not and could not be left aside, and should be recognized as a key driving force for the future. Emphasis was needed on quality education, decent employment and the ability to exercise active citizenship in order to make young people feel an integral part of society; they should be given more opportunities to express their views on social and political issues, and more forums should be organized to that end at both the national and international levels. Empowering youth was an undeniable obligation of everyone in the Human Rights Council, and ensuring the enjoyment of young people's human rights was the most important legacy that could be left for generations to come.

10. The member of the Committee on Economic, Social and Cultural Rights stressed that the International Covenant on Economic, Social and Cultural Rights had strong cross-cutting anti-discrimination provisions and contained explicit and implicit provisions for young people. There were measures to protect and assist all children and young persons without discrimination, including from economic and social exploitation. Articles 13 and 14 on the right to education were entirely dedicated to children and young people, important elements being the obligation on States parties that had not been able to do so prior to becoming parties to the Covenant to guarantee the progressive implementation of the principle of compulsory education free of charge for all, and measures to make education accessible to all. The implicit Covenant provisions to enhance economic and social rights, reflected in the Committee's reporting guidelines to States parties, addressed employment, technical and vocational training, social services to support families, improvement of child and maternal health and prevention and rehabilitation in the context of alcohol, tobacco and drug abuse.

11. Recurrent challenges to the exercise of human rights by young people included difficulties in accessing the job market, even for highly qualified young people, and youth unemployment rates that were much higher than those of adults; inadequacies in education and skills training, particularly in rural areas, leading to an influx of youth into urban areas; a lack of access to health-care services, including for sexual and reproductive health; and the ineffectiveness of the schooling system, which led to high dropout rates and low levels of literacy. Young girls and women were often at a disadvantage in comparison to men, whether in relation to education, participation in the labour market or poverty in general, due to their unequal access to resources, goods and services. In addressing those challenges, States should enact legislation to combat all forms of discrimination, adopt and implement long-term policies with effective monitoring and evaluation mechanisms, implement targeted measures for the promotion and protection of the rights of specific groups of young people that faced particular difficulties and provide goods and services that were accessible, affordable and of high quality.

12. She shared suggestions to strengthen the human rights framework for young people, and noted that while the normative framework was relatively comprehensive, implementation, monitoring and information gaps underpinned the lack of fulfilment of rights for young people. She encouraged States to adopt and implement policies and programmes for the promotion and protection of the rights of young people, and to provide adequate information in their reports to treaty bodies on measures taken, using statistics and disaggregated human rights indicators, so that the treaty bodies could engage in meaningful dialogue with States in that regard, including by making specific recommendations. She recommended that organizations led by or focused on young people should engage with other interested stakeholders to raise the visibility of the human rights framework at the national level, and contribute to the efforts of non-governmental organizations by submitting to the treaty bodies alternative reports on the implementation of human rights. In their efforts to connect and work with young people, States should be guided by their

potential to champion not only their own rights, but also those of disadvantaged and marginalized groups.

13. The President of the European Youth Forum welcomed the initiative to convene the panel discussion taken by the Human Rights Council and expressed hope that the Youth Forum would be able to work with the Council in changing the realities for young people in the world. She noted that more than 500 million young people aged between 15 and 24 lived on less than $2 a day, and that some 126 million young people were illiterate. She also noted that, according to estimates by the International Labour Organization, in 2016 more than 40 per cent of the world's active youth population was expected to be either unemployed or living in poverty despite being employed. She noted that youth affected by migration were particularly vulnerable to human rights violations. In their daily lives, young people encountered multiple discrimination based on their age, gender, disability, ethnic origin, religious beliefs, sexual orientation and gender identity, and young people were often shut out of politics or criminalized for speaking out. She emphasized that the current generation of young people, in spite of being the largest, perhaps the most highly educated, technically advanced and mobile generation in history, was being left behind due to a lack of political will.

14. Recognizing that young people were being denied their rights due to age-based discrimination, it was time to act for youth. Specific points for action included: (a) comprehensively defining the realities and obstacles young people faced in claiming their rights by preparing a report mapping those obstacles; (b) establishing a special procedure on the human rights of young people; (c) requesting the Office of the United Nations High Commissioner for Human Rights, in cooperation with youth-focused United Nations stakeholders, to develop guidelines directing States in implementing a rights-based approach to youth policies; (d) urging the Council to invite all treaty bodies to develop a joint general comment or statement on youth, thus underlining the indivisibility of all human rights for young people; and (e) mainstreaming youth rights in existing human rights mechanisms, such as addressing them through the universal periodic review by involving youth organizations in national consultations and giving visibility to the submissions made by youth organizations.

15. The representative of the Asociación Tierra de Jóvenes said that a young person living and working on the streets in El Salvador would, as a result of being recognized as an adult on turning 18, suddenly lose their access to several social protections provided by institutions only to those under 18 years of age. A large number of young people living on the streets were taken to institutions, but when they no longer qualified for that support at the age of 18 and were released, many of them were recruited by notorious Central American gangs within two years. Furthermore, adults tried to take advantage of them due to their ignorance, lack of resources and inability to defend themselves. For example, a young windscreen washer renting a room could pay as much rent as a middle-class family renting a house, due to financial need and the requirement to pay a premium amount on a daily instead of a monthly basis. Many such young people remained employed in the informal sector, due to the low wages and poor treatment experienced in formal sector jobs, and as a result of their lack of social contacts, which were often necessary to gain decent formal sector employment.

16. Young people wanted justice, but many of them were marginalized and did not have the opportunity to seek justice. There was a need to eradicate corruption in the judiciary, and for a fairer society in which human rights were respected. There was a lack of coordination among institutions established to assist young people and protect their rights, and their efforts were often insufficient or duplicated. He called upon States to help create mechanisms for the coordination of organizations advocating for the protection of human rights at the national level, both within and beyond El Salvador. Young people's access to services needed to be facilitated and improved in order to protect and fulfil their human rights. There was a need for change that was for young people and driven by young people. At 25 years old himself, he shared his story of empowerment through volunteering, and called upon States to recognize the value of efforts aimed at empowering young people. Governments should understand that young people asking for their human rights were not

the enemy; quite the contrary, they were positive actors who would not rebel if their rights were guaranteed, empowering them to become positive drivers of change.

17. The representative of VIDES International said that the organization aimed to promote active citizenship among young people and to enable them to become promoters of development, democracy and peace in 42 countries. While efforts continued to ensure the human rights of many vulnerable groups, young people were often left aside in human rights-based policies and interventions. Even worse, they were perceived as the emblem of problems and the cause of tensions both at the local and global levels. Conversely, the impulse to change the status quo was intrinsic to youth and constituted the potential of young people to bring about social change and strengthen human rights in the form of greater justice, transparency and participation.

18. The current reality for many young people was a lack of adequate opportunities, particularly in education and employment. There was general distrust in the rule of law and institutions, which resulted in political disengagement, and in some cases, in young people engaging in violence or extreme politics. The difficulties young people experienced in the enjoyment of their human rights affected not only youth, but also had a strong detrimental effect on society at large. Access to quality education was a major challenge since lack of education affected not only labour, but also the exercise of citizenship by young people and in the long term, durable peace and reconciliation. Youth participation was also a priority; it was important to recognize young people as citizens to be valued and taken into account, especially in decisions affecting them and future generations.

19. At the international level, she recommended: (a) mainstreaming youth rights through existing United Nations mechanisms, such as the universal periodic review and the treaty bodies; (b) issuing a joint general comment or statement by treaty bodies on the application of relevant United Nations treaties to the particular situation of youth; (c) establishing a special procedure on youth to monitor and assess young people's enjoyment of human rights; and (d) ensuring that youth rights remained on the agenda of the Council by requesting a report by the Advisory Committee or the Office of the High Commissioner.

20. The Head of the Social and Human Sciences Sector of the UNESCO Multisectoral Regional Office for Central Africa in Yaoundé said that in Africa, young people constituted on average up to 50 per cent of the population, and up to 65 per cent in some countries. The expansion of the youth population over the past 25 years had resulted in challenges in education, training and employment, and youth population growth was expected to continue to increase rapidly in the decades to come. Yet the youth population of Africa was also the continent's greatest asset, and a number of important political and programmatic initiatives had been put in place to address the youth population and the human rights of young people. Under international instruments on human rights, it was clear that the enjoyment of human rights was an inalienable right of all young people, and that their human rights should be fully realized. In many African countries, however, that remained a pious hope.

21. The challenges facing young people were multifarious; unemployment was a destabilizing factor; gender violence, including sexual violence, was a violation of human rights; the spread of terrorism led to a rise in the risk of radicalization in terms of religious and ideological terms; and there was an overall lack of or weakness in policies for young people. The youth of Africa also faced challenges in terms of poverty, climate change and ethnic and religious conflict, and many countries were undergoing demographic change and poorly managed democratic transitions. Young people were killed and tortured by the armed forces and police of their own Governments, particularly in pre- and post-election periods.

22. UNESCO considered young people as the holders of both responsibilities and rights and sought to create and maintain an environment in which young people could exercise their rights and responsibilities, flourish as human beings, be heard and participate as valued stakeholders and holders of knowledge in specific fields. It was time to step up investment in policies and programmes based on human rights so that young people could be responsible social innovators; a human rights culture was indispensable in that regard, within and beyond education systems. Over the past 10 years, there had been increasing awareness among African youth who were requiring that the rule of law be guaranteed and

upheld. She recommended that studies should be conducted to gather disaggregated data on the specific needs and challenges faced by young people, that the African Youth Charter should be applied effectively by member States of the African Union, and that there should be reporting on compliance with human rights mechanisms, conventions and treaties at all levels.

IV. Summary of the discussion

23. In the ensuing discussion, contributions were made, in the following order, by representatives of: Australia, speaking also on behalf of Canada and New Zealand, the Dominican Republic on behalf of the Community of Latin American and Caribbean States, the Philippines on behalf of the Association of Southeast Asian Nations, the European Union, Canada on behalf of the International Organization of la Francophonie, Brazil on behalf of the Community of Portuguese-speaking Countries, the Sudan on behalf of the Group of Arab States, Portugal, Georgia, Brazil, El Salvador, Bosnia and Herzegovina, Austria, Italy, Namibia, Greece, Bangladesh, the United States of America, Israel, the Organization of Islamic Cooperation, the Council of Europe, Romania, Egypt, the Republic of Korea, Pakistan, Libya, Indonesia, Spain and Maldives.

24. Representatives of the following national human rights institutions and non-governmental organizations contributed to the discussion: the Australian Human Rights Commission, the World Young Women's Christian Association, the World Alliance for Citizen Participation (CIVICUS), the Commissioner for Human Rights of the Russian Federation, Action Canada for Population and Development, Save the Children International, and Rencontre africaine pour la défense des droits de l'homme.

25. Delegates reaffirmed their commitment to the inclusion of young people as rights-holders, and to the promotion and protection of young people's human rights. Many delegations drew attention to their countries' large youth populations and the growing challenges that disproportionately affected the current generation of young people, including unemployment and a lack of decent work for young people, social exclusion, the impacts of the economic crisis, inadequate education and opportunities, political marginalization, climate change and intergenerational inequality. Delegations highlighted the risks associated with growing youth populations whose rights were not realized, including the potential for politically disengaged or disenfranchised youth to contribute to instability, conflict and violence.

26. Nonetheless, many delegations viewed young people as essential to the realization of economic and social progress. They drew attention to the crucial role young people played in realizing human rights, peace and sustainable development, particularly when they were empowered to contribute positively in those respects. Others stated that it was important to enable young people to contribute to addressing major global challenges through active and meaningful participation in politics, sustainable development efforts and decisions affecting them. Several delegations highlighted the need to strengthen specific programmes to promote and protect the rights of young people, particularly in relation to education, employment and human rights awareness-raising. One delegate noted that businesses should become more involved in that regard, for example through improved vocational training, and another asked how the Council could contribute to youth empowerment in the context of the 2030 Agenda.

27. Some delegates highlighted the diversity of youth, and emphasized that some young people from marginalized groups or those in situations of vulnerability needed targeted policies and protection in order for their rights to be realized. One delegate noted that, while young people shared many common experiences, their diversity should also be celebrated and their different voices and engagement strengthened. Another pointed out that young people were particularly vulnerable to becoming victims of violence as a result of armed conflicts worldwide, and that the reduction of armed conflict through youth empowerment should be a priority for all States.

28. Several delegations highlighted the policies that they were implementing in order to fulfil the rights of young people and create opportunities for them. Most delegations felt

that young people should be partners in development by contributing new ideas and participating in measures to promote positive change in society, particularly with regard to sustainable development, conflict prevention and the realization of human rights.

29. Representatives of non-governmental organizations and national human rights institutions drew attention to examples of the violation or denial of the rights of children and young people. One national human rights institution raised the issue of the abuse of children in detention, stressing the importance of the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. One non-governmental organization noted that in more than 100 countries, freedom of expression and freedom of assembly were under threat. Nonetheless, a number of countries had taken measures to facilitate youth participation in public affairs, with 131 countries around the world having established national youth councils, although they remained limited in their funding and political influence.

30. Non-governmental organizations highlighted the imperative for all States to integrate the rights of children and young people throughout national policies and programmes. One pointed out that young people had little guidance or knowledge on how to follow the work of human rights bodies and promote human rights in their countries, and called upon Member States and the Council secretariat to create more youth-friendly mechanisms and platforms to engage and empower young people in human rights processes. They drew attention to the importance of the 2030 Agenda as an opportunity to advance the rights of young people, but noted that in order for it to be successful, young people must play an active role throughout the 2030 Agenda implementation and review processes.

V. Conclusions

31. **The panellists emphasized that many issues raised in the discussion were connected to poor governance and persistent challenges to ensuring peaceful political transitions. Young people were demanding participation, justice and respect for the rule of law. It was essential to recognize that policy choices contributed to the challenges experienced by young people, such as poverty and unemployment, and that young people could play a range of roles in society: as positive agents of change, victims of human rights violations or even perpetrators of violations. Good governance and democracy were essential to bringing about positive outcomes for young people.**

32. **Regarding the role of the Human Rights Council for youth empowerment, panellists highlighted the need for more substantial information on the role of youth and for young people themselves to have more information about the legal aspects of the human rights framework. In order to support the mainstreaming of the rights of young people and to ensure that Governments were responsive to young people who were deprived of their rights, efforts should be made by Member States to systematically consult young people, including in the drafting of submissions to the universal periodic review.**

33. **Panellists emphasized the importance of involving young people in resolving conflicts in schools. For example, in Colombia there had been a successful initiative to reduce school violence whereby every young person had a role in the school, which operated like a city with a mayor and a cabinet. When violence did occur, young people were trained to act as mediators and to resolve disputes. Due to the success of that participatory approach to reducing violence, the initiative was being adapted to the situation in France. With respect to youth participation, young people should be taught about human rights in a way that was appropriate to their age group.**

34. **One panellist welcomed the fact that the forthcoming Forum on Human Rights, Democracy and the Rule of Law would focus on the rights of young people, and encouraged States to include youth representatives in their delegations and to ensure the participation of youth organizations in the Forum. It was important for Member States to take action on the issues raised in the panel discussion, including by way of a**

report on the obstacles young people faced in accessing their rights. Guidelines should be made available to States on a human rights-based approach to youth policies, and the voices of young people and their organizations should be taken into account in the universal periodic review. Furthermore, a joint statement should be made by the human rights treaty bodies on the rights of young people.

35. Panellists recalled that relevant national measures and policies concerning youth must be in line with international human rights standards, including with regard to the accountability of duty bearers. It was important to ensure that young people were actually listened to, as token participation did not enable the building of citizenship. There was not a gap in the human rights framework, but rather shortfalls in implementation and monitoring. Steps were needed to strengthen and coordinate existing efforts in that respect.

36. The moderator concluded the discussion, noting that the challenges that young people faced were multifaceted and required integrated, comprehensive responses from States, international organizations and other stakeholders. The panel discussion had demonstrated that the protection and promotion of young people's rights and well-being must be among the international community's highest priorities. Young people faced many challenges, including a lack of respect for their rights to life, health, education and freedom of conscience, and discrimination on the grounds of sexual orientation, in addition to a lack of employment and adequate education. States had both a practical imperative and a moral obligation to pay greater attention to the issues facing youth and to work with them to define concrete measures to address those challenges.